

REMARKS

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 2, 3, and 34 are canceled herein.
- Claims 1, 4, 33, and 56 are amended herein.
- Accordingly, claims 1, 4-31, 33, 36-54, 56, and 57 remain pending.

Support for the amendments to claims 1, 33, and 56 is found in the specification, as originally filed, at least at page 7, line 7 through page 8, line 24. The amendments submitted herein do not introduce any new matter.

Cited Documents

The following documents have been applied to reject one or more claims of the Application:

- **Tschiegg:** Tschiegg et al., U.S. Patent Application Publication No. 2005/0192963
- **Richman:** Richman, Ira S., U.S. Patent No. 6,754,874

Tschiegg Fails to Anticipate Claims 1-23, 27-31, 33-34, 36-48, 50-54 and 56-

57

Claims 1-23, 27-31, 33-34, 36-48, 50-54 and 56-57 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Tschiegg. Applicant respectfully requests reconsideration in light of the amendments presented herein.

Independent Claim 1

Claim 1, as amended herein, recites, in part (with emphasis added):

receiving survey information originating from an individual serving a first role pertaining to an aspect of an organizational entity, the survey information including at least one recommendation, wherein the individual serving the first role is a field consultant who serves the role of inspecting the organizational entity to determine whether it satisfies a defined criterion;

storing the survey information in a computer database associated with a storage medium;

receiving, via a user interface, ***first recommendation information originating from an individual serving a second role, the first recommendation information being based on the survey information received from the individual serving the first role;***

storing the recommendation information in the computer database associated with the storage medium;

receiving, via the user interface, ***second recommendation information originating from an individual serving a third role, the second recommendation information being based on the first information*** received from the individual serving the second role;

storing the second recommendation information in the computer database associated with the storage medium; and

addressing said at least one recommendation based on the first and second recommendation information, the addressing of said at least one recommendation including initiating a response to said at least one recommendation information,

wherein the first, second, and third roles are different roles and are each performed by a different individual

In rejecting claim 1, the Examiner cites a number of paragraphs of Tschiegg as disclosing the claimed recitations. These passages and other parts of Tschiegg describe a graphical interface system that presents users with risk management information in response to an authorized access (Tschiegg, Abstract). Users are able to view to view risk management information for their own organizations and for other organizations, subject to privacy and access authorization constraints (see Tchiegg, paragraph 9).

More specifically, the Examiner points to paragraph 21 of Tschiegg as disclosing the claimed “receiving survey information”, “receiving ... first recommendation information”, and “receiving ... second recommendation information.” That paragraph mentions sharing recommendations “between users through the interface and over the network” and that “recommendations may be shared based on access and authority levels of accounts.”

In response, Applicant respectfully submits that neither paragraph 21 nor any other part of Tschiegg discloses the claimed recitations, as amended. As amended, the received survey information is “originated from an individual serving in a first role”, the first recommendation information is “originated from an individual serving in a second role”, and second recommendation information is “originated from an individual serving in a third role.” Nothing in paragraph 21 mentions that the recommendations shared by the users *originated* with those users. Also, nothing in paragraph 21 describes the users sharing the recommendations as being different users or as having different roles (as amended, claim 1 recites that “the first, second, and third roles are different roles and are each performed by a different individual”). Presumably, the Examiner equates

the sharing of recommendations based on authority levels - as discussed in paragraph 21 - to receiving information from individuals having different roles. If so, Applicant respectfully disagrees. Read in context, the levels of authority mentioned in paragraph 21 refer to the ability of a user of one organization to see recommendations given to other users of other organizations, as described in paragraph 9 of Tschiegg. In this sharing based on authority levels, however, the users sharing the information are not the user with whom the information originated. Rather, risk analysis personnel provide the information for the multiple organizations that can be shared by users of those organizations. Thus, Tshiegg does not expressly or inherently disclose receiving recommendation information that *originated from* multiple individuals having multiple, different roles.

Further, nothing in Tschiegg discloses that “the first recommendation information [is] based on the survey information” or that “the second recommendation information [is] based on the first information”, as claimed in claim 1. Paragraph 21 of Tschiegg is again cited for both of these recitations. Nothing in that paragraph or any other part of Tschiegg, however, discloses expressly or inherently any recommendation being based on other information, be it other recommendations or survey information. Rather, paragraph 21 simply describes sharing recommendations and no mention is made of what the recommendations are based on. Further, nothing in the act of sharing recommendations in any way inherently requires that the shared recommendations be based on other recommendations or on survey information. Accordingly, paragraph 21 and Tschiegg in general simply do not disclose these recitations of claim 1.

Additionally, the Examiner cites paragraph 29 of Tschiegg as disclosing “addressing said at least one recommendation based on the first and second recommendation information, the addressing of said at least one recommendation including initiating a response to said at least one recommendation information.” Paragraph 29 mentions providing recommendations to customers as well as a reporting and tracking mechanism. Even assuming for the sake of argument that paragraph 29 discloses “addressing said at least one recommendation based on the first and second recommendation information” (a point which Applicant does not concede), nothing in paragraph 29 discloses that the claimed addressing includes “initiating a response to said at least one recommendation information.” At best, paragraph 29 describes providing recommendations and reports to customers. Nothing mentions that such recommendations/reports are initiated as a response to recommendation information, as claimed in claim 1.

For at least the reasons presented herein, Tschiegg does not disclose all of the features of claim 1, as amended. Accordingly, Applicant submits that Tschiegg does not anticipate claim 1, and respectfully requests that the Office withdraw the 102 rejection of claim 1.

Independent Claims 33 and 56

Claims 33 and 56 are patentable over Tschiegg at least for reasons similar to those provided above with respect to claim 1.

Dependent Claims 2-23, 27-31, 34, 36-48, 50-54, and 57

Claims 2, 3, and 34 are canceled, thus obviating their rejections.

Claims 4-23, 27-31, 36-48, 50-54, and 57 each ultimately depend from one of independent claims 1, 33, and 56. As discussed above, claims 1, 33, and 56 are not anticipated by Tschiegg, and are therefore allowable over that cited document. Therefore, claims 4-23, 27-31, 36-48, 50-54, and 57 are also allowable over Tschiegg for at least their dependency from an allowable base claim, and also for the additional features that each recites.

Richman Fails to Anticipate Claims 1 and 33

Claims 1 and 33 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Richman. Applicant respectfully requests reconsideration in light of the amendments presented herein.

Independent Claim 1

Claim 1, as amended herein, recites, in part (with emphasis added):

receiving survey information originating from an individual serving a first role pertaining to an aspect of an organizational entity, the survey information including at least one recommendation, ***wherein the individual serving the first role is a field consultant who serves the role of inspecting the organizational entity to determine whether the organizational entity satisfies a defined criterion***

Richman describes an electronic form that is used to evaluate an employee (Abstract). The employee enters a self-evaluation and submits the form (Fig. 3). A supervisor then enters review information in the form and submits it (Id.). Lastly, a second level supervisor checks the adequacy of the review and submits the form, which is subsequently provided to the employee (Id.).

In contrast, claim 1, as amended, deals with multiple individuals in different roles providing recommendation information based on survey information originating with “a field consultant who serves the role of inspecting the organizational entity to determine whether the organizational entity_satisfies a defined criterion.” Even if one were to assume for the sake of argument that the survey information and recommendation information read on the self-evaluation and evaluations (a point with which Applicant disagrees), Richman still does not disclose that the employee is a field consultant who is inspecting an organizational entity. Richman makes no mention of such a field consultant and in no way expressly requires that the employee be one. Thus, Richman simply does not disclose the amended recitations of claim 1.

For at least the reasons presented herein, Richman does not disclose all of the features of claim 1. Accordingly, Applicant submits that Richman does not anticipate claim 1, and respectfully requests that the Office withdraw the 102 rejection of claim 1.

Independent Claim 33

Claim 33 is patentable over Richman at least for reasons similar to those provided above with respect to claim 1.

Claims 24-26 and 49 Are Non-Obvious Over Richman

Claims 24-26 and 49 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Richman. Applicant respectfully traverses the rejection.

Claims 24-26 and 49 each ultimately depend from one of independent claims 1 and 33. As discussed above, claims 1 and 33 are allowable over Richman. Therefore, claims 24-26 and 49 are also allowable over Richman for at least their dependency from an allowable base claim, and also for the additional features that each recites.

Accordingly, Applicant respectfully requests that the Office withdraw the 103 rejection of claims 24-26 and 49.

Conclusion

For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

If any issues remain that would prevent allowance of this application, **Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.**

Respectfully Submitted,

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